

**81674**

**TO:** Honorable Members of the Board of Acquisition and Contract

**FROM:** Robin Schlaff  
Director, Office for Women

**DATE:** December 18, 2020

**SUBJECT:** Authority to (i) rescind a resolution approved on December 17, 2020, and (ii) amend an agreement with Hudson Valley Justice Center, Inc., for the provision of legal assistance to poor and low-income Westchester County immigrant residents as well as conduct community outreach events and legal education seminars in Mount Vernon, for a term from January 1, 2020 to December 31, 2020, for a not-to-exceed amount of \$229,867.00, in order to increase the not-to-exceed amount of the agreement by \$6,207.00, to a new total not-to-exceed amount of \$236,074.00.

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On December 17, 2020, your Honorable Board approved a resolution (“December 17<sup>th</sup> Resolution”) authorizing the County of Westchester, acting by and through its Office for Women (“County”), to enter into a certain first amendment to the existing agreement (the “Original Agreement”) with Hudson Valley Justice Center, Inc. (“HVJC”), pursuant to which HVJC was to provide legal assistance to poor and low-income Westchester County immigrant residents as well as conduct community outreach events and legal education seminars in Mount Vernon, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for a not-to-exceed amount of \$130,009.00, in order to increase the not-to-exceed amount by \$6,207.00, from an amount not to exceed \$130,009.00 to a total amount not-to-exceed \$136,216.00.

However, the Original Agreement was already amended pursuant to that certain First Amendment (the “First Amendment”), dated October 21, 2020, which First Amendment had been previously approved through a resolution approved by your Honorable Board on October 15, 2020, in order to expand the scope of services to include additional legal services necessary to assist undocumented immigrants facing rental arrears, and to increase the not-to-exceed amount of the Original Agreement by \$99,858.00, from an amount not-to-exceed \$130,009.00 to a new total not-to-exceed amount of \$229,867.00. Hereinafter, the Original Agreement and the First Amendment shall collectively be referred to as the “Agreement.”

In connection with the foregoing, authority is now hereby being requested from your Honorable Board to authorize the County to (i) rescind the December 17<sup>th</sup> Resolution in its entirety, and to (ii) enter into a second amendment (the “Second Amendment”) to the Agreement, in order to

increase the not-to-exceed amount of the Agreement by \$6,207.00, from an amount not-to-exceed \$229,867.00 to a new total not-to-exceed amount of \$236,074.00.

Except as specifically amended hereby, all other terms and conditions of the Agreement shall remain the same.

The proposed Second Amendment will serve a public purpose by providing additional funding for HVJC to make available to immigrants legal and support services that they need and might otherwise be unable to obtain.

The goal and objective of the proposed Second Amendment is to provide additional funding for HVJC to provide legal services, community outreach and legal education seminars in Mount Vernon.

The goal and objective of the proposed Second Amendment will be tracked and monitored by the Office for Women.

I respectfully recommend the adoption of the attached resolution.

RS/SB/CMC  
Enclosure

# RESOLUTION

Upon a communication from the Director of the Office of Women, be it hereby

**RESOLVED**, that the resolution approved on December 17, 2020, for the County of Westchester, acting by and through its Office for Women ("County") to amend an existing agreement (the "Agreement") with Hudson Valley Justice Center, Inc. ("HVJC"), pursuant to which HVJC was to provide legal assistance to poor and low-income Westchester County immigrant residents as well as conduct community outreach events and legal education seminars in Mount Vernon, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for a not-to-exceed amount of \$130,009.00, in order to increase the not-to-exceed amount by \$6,207.00, from an amount not-to-exceed \$130,009.00 to a total amount not-to-exceed \$136,216.00, is hereby rescinded; and be it further

**RESOLVED**, that the County is hereby authorized to enter into a second amendment ("Second Amendment") to the Agreement, as previously amended by that certain First Amendment dated October 21, 2021, pursuant to which HVJC was to provide legal assistance to poor and low-income Westchester County immigrant residents, conduct community outreach events and legal education seminars, and provide legal services necessary to assist undocumented immigrants facing rental arrears in Mount Vernon, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for a total not-to-exceed amount of \$229,867.00, in order to increase the not-to-exceed amount by \$6,207.00, to a new total not-to-exceed amount of \$236,074.00; and be it further

**RESOLVED**, that except as specifically amended hereby, all other terms and conditions of the Agreement shall remain the same; and be it further

**RESOLVED**, that the Agreement, as amended by the Second Amendment, is subject to County appropriations; and be it further

**RESOLVED**, that the Agreement, as amended by the Second Amendment, is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to HVJC, then HVJC shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year(s)
101	11	0900	4380	N/A	\$6,207	2020

**Budget Funding Year(s)** 2020    **Start Date:** 01/01/2020    **End Date:** 12/31/2020

(must match resolution)

**Funding Source:**

Tax Dollars \$6,207

\$6,207

State Aid \_\_\_\_\_

(must match resolution)

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/07/2021 V. RODRIGUEZ, SECRETARY